

Amendment

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 576-0200

Attorney Docket No. 2307AA-031220US

In re application of: Baekkeskov et al.

Application No.: 08/838,486

Filed: April 7, 1997

Group Art Unit: 1644

For: IMPROVED METHODS FOR THE DIAGNOSIS AND
TREATMENT OF DIABETES

THE ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Date: July 22, 1999

I hereby certify that this is being deposited with the United States
Postal Service as first class mail in an envelope addressed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Signed: *[Signature]*

Sir:

Transmitted herewith are the following documents in the above-identified application.

- ☒ Amendment
☒ Petition to Extend Time to Respond;
☒ Return Postcard.

If any extension of time is needed, then this response should be considered a petition therefor.
The filing fee has been calculated as shown below:

(Col. 1)

(Col. 2)

(Col. 3)

SMALL ENTITY

OTHER THAN
SMALL ENTITY

| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA |
|---|---|-------|---------------------------------------|------------------|
| TOTAL | * 14 | MINUS | ** 20 | = 0 |
| INDEP. | * 2 | MINUS | *** 4 | = 0 |
| [] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | |

| RATE | ADDIT. FEE |
|------------------------|---------------|
| x \$9.00 = | \$0.00 |
| x \$39.00 = | \$0.00 |
| + \$130.00 = | |
| TOTAL ADDIT. FEE | \$0.00 |

OR

| RATE | ADDIT. FEE |
|--------------|---------------|
| x \$18.00 = | |
| x \$78.00 = | |
| + \$260.00 = | |
| TOTAL | |

OR

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, then write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

☒ No fee is due.

Please charge Deposit Account No. 20-1430 as follows:

☐ Claims fee \$ 0.00
☒ Any additional fees associated with this paper or during the pendency of this application.

2 extra copies of this sheet are enclosed.

TOWNSEND and TOWNSEND and CREW LLP

[Signature]
Joe Liebeschuetz, Reg. No.: 37,505
Attorneys for Applicant

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 20231

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
| 08/485,725 | 06/07/95 | TOBIN A | A-60780-9/BI |

HM11/0928
FLEHR HOHBACH TEST ALBRITTON & HERBERT
FOUR EMBARCADERO CENTER
SUITE 3400
SAN FRANCISCO CA 94111-4187

| EXAMINER |
|--------------|
| HENDRICKS, K |

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 1652 | |

DATE MAILED: 09/28/98



Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

File A-60780-9 Atty RFT, MT5Due Date Type Refs



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DEAFCE-1994

| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|---------------|-------------|-----------------------|---------------------|
| 08/485,725 | | | |

| EXAMINER | |
|---------------------|--------------|
| Hendricks, Keith D. | |
| ART UNIT | PAPER NUMBER |
| 1652 | 14 |

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

All claims are allowable. However, due to a potential interference, *ex parte* prosecution is SUSPENDED. The application will be sent to the Board of Patent Appeals and Interferences upon decision.

NOTE: The previously discussed Examiner's Amendment to claim 43, limiting to the use of rat GAD-65, is hereby withdrawn, and all claims stand as originally presented by applicants. Note that this does not reflect upon any product claims, merely the methods.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith D. Hendricks, in Art Unit 1652, whose telephone number is (703) 308-2959.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 1600 receptionist whose telephone number is (703) 308-0196.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert A. Wax, can be reached at (703) 308-4216. The fax phone number for this Tech. Center is (703) 308-4242. Unofficial papers and proposed amendments may be faxed directly to (703) 308-0294.

KDH
KEITH D. HENDRICKS
PRIMARY EXAMINER
GROUP 1800

kdh

March 26, 1998

PATENT

Attorney Dock t No.: A-60780-9/RFT/MTK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Examiner: HENDRICKS, K.

TOBIN et al.

Group Art Unit: 1814

Serial No. 08/485,725

Filed: June 7, 1995

For: CLONED GLUTAMIC ACID
DECARBOXYLASECERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231

on December 22, 1997Signed: Teri Renshaw

Teri Renshaw

AMENDMENT

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is in response to the Office Action (Paper No. 10) mailed June 20, 1997. Enclosed herewith is a petition for an appropriate extension of time and the fee therefor, thereby making this a timely response.

The Commissioner is authorized to charge any additional fees, including extension fees, which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-60780-9/RFT/MTK).

Serial No.: 0805,725
Filed: June 7, 1995

Please amend the pending claims as follows:

15. (Twice Amended) A method (for ameliorating a] of treating a patient having or at risk of having a glutamic acid decarboxylase (GAD) associated autoimmune disorder (in a patient having or at risk of having the disorder,) which comprises administering to the patient a therapeutically effective amount of whole human glutamic acid decarboxylase₆₅ (GAD₆₅).
26. (Twice Amended) The method of claim 15, wherein the glutamic acid decarboxylase₆₅ (GAD₆₅) polypeptide is therapeutically labeled.
39. (Amended) The method of claim 15, wherein the disorder is insulin-dependent diabetes mellitus (IDDM).
42. (Amended) The method of claim [30] 41, wherein the enteral administration is oral.

Please add new Claims 43-52 as follows:

- 43. A method of treating a patient having or at risk of having a glutamic acid decarboxylase (GAD) associated autoimmune disorder which comprises administering to the patient a therapeutically effective amount of whole glutamic acid decarboxylase₆₅ (GAD₆₅) from a mammal other than human.--